Appendix 3-4

Letter from USDI Fish & Wildlife Services

10-1
Letter from USDI
Fish and Wildlife
Feb. 10, 1988

United States Department of

FISH AND WILDLIFE SERVICE
AREA OFFICE COLORADO—UTAH
1311 FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84138

IN REPLY REFER TO

January 27, 1982

MEMORANDUM

TO: Acting Deputy Administrator, Technical Service Center West
Office of Surface Mining
Denver, Colorado

FROM: Acting Area Manager, Fish and Wildlife Service
Salt Lake City, Utah

SUBJECT: Genwall Coal Company, Inc.; Company Response to ACR;
UT-0067-8 thru 11

We have reviewed the Company's response to comments by the Division of Oil, Gas and Mines (DOGM) and the Office of Surface Mining (OSM). The following comments address these and general problems yet identified.

1. The Fish and Wildlife Service (FWS) examined the golden eagle, Aquila chrysaetos nest site twice during 1981. Contrary to the findings of the Company, eagles were observed near the site both times. No close adjacent nests (nearest is approximately two miles away) were located in the vicinity of this site. Our best evaluation is that this site represents an occupied territory consisting of a single nest that for some undetermined reason did not initiate or at least complete a nesting attempt in 1981. We have not ruled out the possibility that this pair of eagles may be highly sensitive to disturbance, but, we have no evidence to support this theory. We do know that there had been human activities in the canyon during the early part of the 1981 breeding season.

2. Philosophically, Genwall Coal Company presents a case history of why all facilities needed to operate a coal mine should be included in the permit area. Had the access road been on private land, the major known impacts of the proposed mine (the access road) would not have had any environmental review. (As it is, we feel the impacts were underestimated.) Table 4 indicates that approximately 50 acres will be disturbed. Only 8.5 acres (17 percent) are in the permit area.

The following are areas of concern that we feel are still inadequately addressed:

a. Destruction of riparian ecosystem. Examination of the "Vegetative Community Map" shows that Cottonwood and other vegetation types clearly associated with the Creek as separate from riparian.

These types are components of the riparian zone and are extremely important wildlife habitats in Crandall Canyon. An examination of the disturbed areas shows why it is important if not critical to revegetate disturbed areas with those species you ultimately desire in Crandall Canyon. Little vegetative cover exists on these sites yet. The theory that this area will be invaded by native species is probably true. The real question is how long will it take and which species will invade. Some species no doubt will be aggressive invaders but others will not. The species destroyed during development of this mine and haul road are primarily those in shortest supply and should have highest priority for reestablishment.

b. Downstream sedimentation. We believe this road will be a constant source of sediment down canyon due to the steepness of the slopes created by the cut and fill used in designing the haul road. This is compounded by snow removal from the road which will result in direct deposition of sediment and coal particles in Crandall Creek, bypassing other safeguards at the mine site.

c. We lack the data on the road to know whether adjacent slopes will present a barrier to big game trying to traverse the canyon bottom and a trap to those caught on the road. Snow and snow removal will increase any barrier to big game movement that the road has created.

d. Any dewatering of Crandall Creek combined with increased sediment loads will likely impact the beaver use in this canyon, and the limited aquatic organism sustained by this drainage.

William P. Eddie

cc: DWR, SLC
DWR, Price
OGM, SLC

HORIZON LABORATORIES

General Offices: P.O. Box 6 Sunnyside, Utah 84539 801-888-
Laboratory: Lab Building HWY 123 Sunnyside Utah 84539

Submitted to :

Castle Valley Resources
P.O. Box 1282
Huntington, Utah 84528

January 4, 1992

Date Sampled : 12/30/92

Date Received : 12/30/92

Sampled by : CC Auto Sampler

Identification by : CVR

Analysis Report # : 1431

Sample Identification :

Kaiser Shipment

CERTIFICATE OF ANALYSIS

Short Proximate

	As Received Basis	Dry Basis
% Moisture	6.31	-----
% Ash	8.33	8.89
% Sulfur	0.48	0.51
Btu/Lb.	12497	13338

Moisture Ash Free Btu/Lb. 14639

Respectfully submitted,
HORIZON LABORATORIES